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106TH CONGRESS  
1ST SESSION

# H. R. 1335

To amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend COBRA continuation coverage for surviving spouses.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1999

Mr. LAMPSON (for himself, Mr. SANDERS, Mr. COSTELLO, Mr. STARK, Mr. ROMERO-BARCELÓ, Mr. UNDERWOOD, Mr. FROST, Mr. GREEN of Texas, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mrs. TAUSCHER, Mr. SANDLIN, Mr. VENTO, Mr. SHOWS, and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend COBRA continuation coverage for surviving spouses.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION. 1. SHORT TITLE**

4 This Act may be cited as the "COBRA Extension Act  
5 of 1999".

1 **SEC. 2. EXTENSION OF COBRA CONTINUATION COVERAGE**  
 2 **FOR SURVIVING SPOUSES.**

3 (a) ERISA AMENDMENT.—Section 602(2)(A) of the  
 4 Employee Retirement Income Security Act of 1974 (29  
 5 U.S.C. 1162(2)(A)) is amended by inserting after clause  
 6 (v) the following new clause:

7 “(vi) GENERAL RULE FOR SURVIVING  
 8 SPOUSES.—In the case of a qualifying  
 9 event described in section 603(1), the date  
 10 on which the surviving spouse becomes en-  
 11 titled to benefits under title XVIII of the  
 12 Social Security Act.”.

13 (b) PHSA AMENDMENT.—Section 2202(2)(A) of the  
 14 Public Health Service Act (42 U.S.C. 300bb-2(2)(A)) is  
 15 amended by inserting after clause (iv) the following new  
 16 clause:

17 “(v) GENERAL RULE FOR SURVIVING  
 18 SPOUSES.—In the case of a qualifying  
 19 event described in section 2203(1), the  
 20 date on which the surviving spouse be-  
 21 comes entitled to benefits under title XVIII  
 22 of the Social Security Act.”.

23 (c) INTERNAL REVENUE CODE AMENDMENT.—Sec-  
 24 tion 4980B(f)(2)(B)(i) of the Internal Revenue Code of  
 25 1986 (relating to period of continuation coverage) is

1 amended by inserting after subclause (V) the following  
2 new subclause:

3                   “(VI) GENERAL RULE FOR SUR-  
4                   VIVING SPOUSES.—In the case of a  
5                   qualifying event described in section  
6                   4980B(f)(3)(A), the date on which the  
7                   surviving spouse becomes entitled to  
8                   benefits under title XVIII of the So-  
9                   cial Security Act.”.

10           (d) EFFECTIVE DATES.—The amendments made by  
11 this section shall apply to qualifying events occurring be-  
12 fore or after the date of the enactment of this Act.

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